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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/657,525
Filing Date	9/8/2003
First Named Inventor	Charles E. Taylor
Art Unit	3634
Examiner Name	Khoa H. Tran
Attorney Docket Number	SHPR-1048USG

ENCLOSURES (Check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input checked="" type="checkbox"/> Petition to Correct Inventorship | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Declaration of Inventor being Added; Consent of Assignee; Copies of Declaration and Assignment |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Daniel J. Burns Eljesler Meyer LLP	Customer Number: 23910
Signature		Reg. No.: 50,222
Date	10/29/2004	

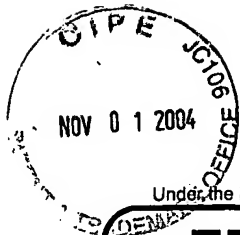
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Bruce Ponte	
Signature		Date 10/29/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)**130.00****Complete if Known**

Application Number	10/657,525
Filing Date	9/8/2003
First Named Inventor	Charles E. Taylor
Examiner Name	Khoa H. Tran
Art Unit	3634
Attorney Docket No.	SHPR-1048USG

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

06-1325

23910 - Fliesler Meyer LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X <input type="text"/>	= 0.00
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X <input type="text"/>	= 0.00
Multiple Dependent				<input type="text"/>	= 0.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**130.00****SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)

Daniel J. Burns

Registration No.
(Attorney/Agent)

50,222

Telephone 415.362.3800

Signature

Date

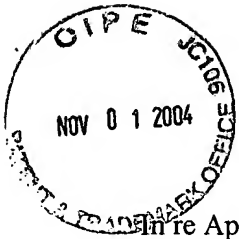
10/29/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Appln. No.: 10/657,525
Confirm. No.: 5728
Filed: September 8, 2003

Title: CD RACK WITH DUAL DISC CASE HOLDER

Currently Named Inventors:

Charles E. Taylor, Edward C. McKinney, Jr., Tristan M. Christianson,
Andrew J. Parker

Inventor to be Added: David Caplan

PATENT APPLICATION

Art Unit: 3634
Examiner: Khoa H. Tran

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 29, 2004


Bruce Ponte

(Signature)

Signature Date: October 29, 2004

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Commissioner for Patents
Alexandria, VA 22313

Sir:

It is respectfully petitioned that the inventorship be corrected in the above-identified non-provisional patent application. Specifically, David Caplan is being added as an inventor. The omission of David Caplan was made through error and without any deceptive intention on the part of the currently named co-inventors.

11/01/2004 EAREGAY1 00000062 10657525

01 FC:1460

130.00 IP

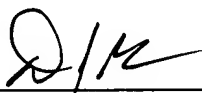
The following documents are submitted herewith in support of this petition:

- (1) Statement From Inventor Being Added - as required by 37 CFR § 1.48(a)(2);
- (2) Declaration of The Actual Inventors - as Required by 37 CFR § 1.48(a)(3);
- (3) a Check For \$130.00 Petition Fee Set Forth in 37 CFR § 1.17(i) - as Required by 37 CFR § 1.48(a)(4); and
- (4) Written Consent of Assignee to Add Inventor (with copy of Assignment)- as required by 37 CFR § 1.48(a)(5).

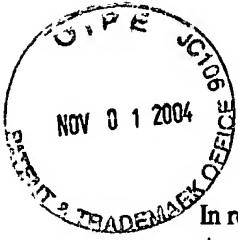
The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this petition that may be required.

Respectfully submitted,

Date: 10/21/2004

By: 
Daniel J. Burns
Reg. No. 50,222

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Appl. No.: 10/657,525
Confirm. No.: 5728
Filed: September 8, 2003

Title: CD RACK WITH DUAL DISC CASE HOLDER

Currently Named Inventors: Charles E. Taylor, Edward C. McKinney, Jr.,
Tristan M. Christianson, Andrew J. Parker

Inventor to be Added: David Caplan

PATENT APPLICATION

Art Unit: 3634
Examiner: Khoa H. Tran

Customer No. 23910

STATEMENT FROM INVENTOR BEING ADDED
as required by 37 C.F.R. § 1.48(a)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

I, David Caplan, declare that:

Through error, the above-identified patent application had me omitted as a co-inventor, and such error arose without any deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

David Caplan

Date: 10-22-04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Appln. No.: 10/657,525

Confirm. No.: 5728

Filed: September 8, 2003

Title: CD RACK WITH DUAL DISC CASE HOLDER

Currently Named Inventors: Charles E. Taylor, Edward C. McKinney, Jr., Tristan M. Christianson, Andrew J. Parker

Inventor to be Added: David Caplan

PATENT APPLICATION

Art Unit: 3634

Examiner: Khoa H. Tran

Customer No. 23910

WRITTEN CONSENT OF ASSIGNEE TO ADD INVENTOR
as required by 37 C.F.R. § 1.48(a)(5)

Commissioner for Patents
Box 1450
Alexandria, VA 22313

Sir:

Pursuant to 37 C.F.R. §3.73(b), Sharper Image Corporation (referred hereafter as "Assignee"), a corporation of Delaware, establishes that it is the current Assignee of the above identified patent application as evidenced by the copy of the Assignment attached hereto. The Assignment has been reviewed and Assignee hereby certifies that, to the best of Assignee's knowledge and belief, title to the above-identified patent application is in the Assignee.

Pursuant to 37 C.F.R. § 1.48(a)(5), Assignee hereby consents to adding David Caplan as a co-inventor of the above identified patent application.

The undersigned (whose title is supplied below) is empowered to sign this written consent on behalf of Assignee.

The undersigned also hereby declares that all statements made herein of my own knowledge are true

and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SHARPER IMAGE CORPORATION

Date: OCTOBER 20, 2004

By:

Andrew Parker

Print Name:

ANDREW PARKER

Title:

SENIOR VICE PRESIDENT